

# The Holmes County Farmer.

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MILLERSBURG, OHIO, THURSDAY MORNING, SEPTEMBER 17, 1863.

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## Holmes County Farmer.

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The Farmer has a larger circulation than any other paper in this section of the State. It is now, and has been for thirty six consecutive years the official paper of the county.

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MILLERSBURG, O.  
(24-24)

**B. B. STAFFORD.**  
BAR OPENED AT  
Wholesale Liquor Store,  
in MILLERSBURG,  
In the Rooms heretofore occupied by Mulvaney's Store, where pure quality of all kinds of liquors can be bought at the lowest city price.  
(25-1) B. B. STAFFORD.

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Scales  
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175 Lake Street, Chicago.  
Sole in Cleveland by S. F. & S. BURGESS. Be careful to buy only the genuine.  
MILLERSBURG, Sept. 15th, 1863. (17)

**C. & J. VORWERK.**  
Have opened a  
Finishing Room and Leather Store  
In the room formerly occupied by S. H. Van Brocklin one door east of Schmitt's Grocery, where they will all kinds of Leather at the lowest prices, and pay cash for hides.  
MILLERSBURG, Sept. 15th, 1863. (17)

## Poetry.

### RALLYING SONG.

TUNE—"Yankee Doodle."

Oh! where's the man to lead the van,  
And bear the colors flying,  
Whose heel shall tread the tyrant's head,  
And shout while he is dying?

Crowds—Vallandigham is just the man,  
Pugh the right hand bower;  
To meet the Abolition clan  
They're ready any hour.

Come, rally round the claret sound,  
The bugle blasts are sounding,  
The marching hosts are at their posts,  
The enemy surrounding.

Crowds—Vallandigham is just the man, &c.  
For near the day when we shall say,  
With hearts of joyful burning,  
With lofty voice, Ohio's choice,  
From exile is returning.

Crowds—Vallandigham is just the man, &c.  
To all and each the right of speech,  
But sacred rights a tyrant fights,  
As we are their protectors.

Crowds—Vallandigham is just the man, &c.  
Whoever may presume to say  
That negroes are our equal,  
America lies that way;  
Will prove a sorry sequel.

Crowds—Vallandigham is just the man, &c.  
Pugh the right hand bower;  
To meet the Abolition clan  
They're ready any hour.

## Political.

### FUTURE POLICY OF THE ADMINISTRATION.

Slave States to be Blotted Out.

Letter from Hon. Wm. Whiting, Solicitor of the War Department.

[From the N. Y. Tribune, August 11, 1863.]

To the Union League of Philadelphia:

GENTLEMEN:—Your letter has been received in which you have done me the honor of requesting me to address the members of the Union League of Philadelphia upon subjects connected with the present state of public affairs.

I have expected, until recently, to be able to comply with your invitation; but as my engagements will, for the present, place it out of my power to do so, I beg permission to make a few suggestions for your consideration.

However brilliant the success of our military operations has been, the country is still encumbered with dangers. Two wars are still waged between the citizens of the United States—a war of arms and a war of ideas. Achievements in the field cannot outweigh the victories of the forum. While we fix our attention upon the checkered fortunes of our heroic soldiers, and trace their marches over hills and villages made memorable through all time by their disasters or their triumphs; while we are filled with alternating hopes and fears, with exultations and disappointments; while our brothers and sons are rudely torn from their homes, and the weeds of the mother and sister record in the family the fearful glory of the fallen brave; while the movements of our vast armies, in all the pomp, pride and circumstance of glorious war—the thunder of their guns—the news of their brilliant successes fill the head and the heart, let us not forget that there is another war waged by men not less brave, for victories not less renowned, than are won on battle-fields.

The deadly struggle is between civilization and barbarism—Freedom and Slavery—republicanism and aristocracy—loyalty and treason.

The true patriot will watch with profound interest the fortunes of this intellectual and moral conflict, because the issue involves the country's safety, propriety and honor. If victory shall crown the efforts of these brave men who believe and trust in God, then shall all this bloody sacrifice be concentrated, and the years of suffering shall exalt us among the nations; if we fail, no triumph of the brute force can compensate the world for our unfaithful degradation.

Let us then endeavor to appreciate the difficulties of our present position.

Of several subjects to which, were it now in my power, I would ask your present attention, I can speak of only one.

As the success of the Union cause shall become more certain and apparent to the enemy in various localities, they will lay down their arms and cease fighting. Their bitter and deep-rooted hatred of the Government and of all Northern men who are not traitors, and of all Southern men who are loyal, will still remain interwoven in every fibre of their hearts and will be made, if possible, more intense by the humiliation of conquest and subjugation.

The foot of the conqueror planted upon their proud necks will not weaken their temper, and their defiant and treacherous nature will seek to revenge itself in murders, assassinations, and all underhand methods of venting a spite which they dare not manifest by open war, and in driving out of their borders all loyal men.

To suppose that a Union sentiment will remain in any considerable number of men, among a people who have strained every nerve and made every sacrifice to destroy the Union, indicates dishonesty, insanity, or feebleness of intellect.

The inhabitants of the conquered districts will begin by claiming their rights to exercise the powers of government, and under the construction of State rights to get control of the lands, personal property, slaves, free blacks, and poor whites, and a legalized power, through the instrumentality of State laws, made to answer their own purposes, to oppose and prevent the execution of the Constitution and laws of the United States, within districts of the country inhabited by them.

Thus for instance: When South Carolina shall have ceased fighting she will lay to the President, "We have now laid down our arms; we submit to the authority of the United States Government. You may restore your Custom House, your Courts of Justice; and if we hold

any public property, we give it up; we now have chosen Senators and Representatives to Congress, and demand their admission, and full establishment of all our State rights and our restoration to all our former privileges and immunity as citizens of the United States."

This demand is made by men who are traitors in heart; men who hate and despise the Union; men who never had a patriotic sentiment, men who, if they could, would hang every friend of the Government. But for the sake of getting power into their own hands by our concession, which they could not obtain by fighting, and for the sake of avoiding their natural crimes, they will demand restoration under the guise of claiming State rights.

What will be the consequences of yielding to this demand?

They will gain the right of managing their affairs according to their will and pleasure, and not according to the will and pleasure of the people of the United States.

They will be enabled by the intervention of their State laws and State courts to put and maintain themselves in effectual and perpetual opposition to the laws and Constitution of the United States, as they have done for thirty-five years past. They will have the power to pass such local laws as will effectively exclude all Northern men, all soldiers, all free blacks and all persons and things which shall be inconsistent with the theory of making slavery the corner-stone of their local Government; and they may make slavery perpetual in violation of the law of the United States and the proclamation of the President. They may continue the enforcement of those classes of law against free speech and freedom of the press, which will forever exclude popular education and all other means of moral, social and political advancement.

They may send back to Congress the same traitors and conspirators who have once betrayed the country into civil war, and who will thwart and embarrass all measures tending to restore the Union by harmonizing the interests and institutions of the people; and so, being introduced into camp, as the wooden horse into Troy, gain by fraud and treason that which they could not achieve by feats of arms. The insanity of State rights doctrines will be nourished and strengthened by admitting back a conquered people as our equals, and its baleful influences cannot be estimated!

The solemn pledge of freedom offered to the colored citizens by Congress and the proclamation must be broken, and the Government and country covered with unspeakable infamy. Even foreigners might then justly consider us guilty of treachery of the cause of humanity and civilization.

Suppose, to-day, the rebellion quelled and the question put, will you now give your enemy the power of making your laws?

Eastern Virginia, Florida and Louisiana are now knocking at the door of Congress for admission into the Union. Men come to Washington, chosen by a handful of associates; elevated, by revolution, to unprecedented dignity; representing themselves as Union men, and earnest to have State rights bestowed upon their constituents.

If their constituents are clothed with the power to constitute a State, into whose hands will that power fall?

Beware of committing yourselves to the fatal doctrine of recognizing the existence in the Union, of States which have been declared by the President's proclamation to be in rebellion. For, by this new device of the enemy—this new version of the poisonous State rights doctrine—the secessionist will be able to get back by fraud what they failed to get by fighting. Do not permit them, without proper safeguards, to resume in your councils in the Senate and House the power which their treason stripped from them.

Do not allow old States, with their constitutions still unaltered, to resume State powers.

Be true to the Union men of the South—not to the designing politicians of the border States. The rebellious States contain ten times as many traitors as loyal men. The traitors will have a vast majority of votes. Clothed with State rights under our Constitution, they will crush every Union man by the irresistible power of their legislation. If you would be true to the Union men of the South, you must not bind them hand and foot and deliver them over to their bitter enemies.

Beware of entangling yourselves with the technical doctrine of Forfeiture of State rights; as such doctrines admit, by necessary implications, the operation of a code of laws and of corresponding civil rights, the existence of which you deny.

The solution of all our difficulty rests in the enforcement against our public enemy, of our belligerent rights of civil war.

When the insurrection commenced by illegal acts of secession and by certain exhibitions of force against the Government, in distant parts of the country, it was supposed that the insurgents might be quelled and peace restored without acquiring a large military force and without involving those who did not actively participate in overt acts of treason.

Hence the Government, relying upon the patriotism of the people, and confident in its strength, exhibited a generous forbearance toward the insurrection.

When, at last, seventy-five thousand of the militia were called out, the President still relied on the Union sentiment at the South, still announced the intention not to interfere with loyal men; but, on the contrary, to regard their rights as under the protection of the Constitution.

The action of Congress was in accordance with this policy. The war waged by this Government was then a personal war; a war against rebels; a war prosecuted in the hope and belief that the body of the people were still friendly to the Union, who, temporarily overborne,

would soon right themselves by the aid of the army. Hence Congress declared, and the President proclaimed that it was not their object to injure loyal men; to interfere with their domestic institutions.

This position of the Government toward the rebellious States was just, forbearing and magnanimous, while the citizens thereof were generally loyal.—But the revolution swept onward; the entire circle of the Southern States abandoned the Union, and carried with them all the border States which they could influence or control.

Having set up a new Government for themselves; having declared war against us; having sought foreign alliances; having seized public property and made attempts to invade States which refused to serve their cause; having raised and maintained large armies and an incipient navy; assuming, in all respects, to act as an independent, hostile nation, at war with the United States; claiming belligerent rights as an independent people alone could have claimed them, and offering to enter into treaties of alliance with foreign countries and treaties of peace with ours—under these circumstances they were no longer merely insurgents and rebels, but became a belligerent public enemy. The war was no longer against "certain persons" in the rebellious States. It became a territorial war—that is to say, a war by all persons situated in the belligerent territory against the United States.

If we were in a war with England, every Englishman would become a public enemy irrespective of his personal feelings toward America; his ships on the sea would be liable to capture; himself would be liable to be killed in battle, or his property situated in this country would be liable to confiscation.

By a similar rule of the law of nations, whenever two nations are at war, every subject of one belligerent nation is a public enemy of the other.

An individual may be a personal friend and at the same time a public enemy to the United States. The law of war defines international relations.

When the civil war in America became a belligerent district became a public enemy, irrespective of his private sentiments, whether loyal or disloyal, friendly or hostile, Unionist or Secessionist, guilty or innocent.

As public enemies the belligerents have claimed to be exchanged as prisoners of war, instead of admitting our right to hang them as murderers and pirates. As public enemies they claim the right to make war upon us, in plain violation of many of the obligations they would have admitted if they acknowledged the obligations or claimed the protection of our Constitution.

If they had claimed any State rights, under our Constitution, they would not have violated every one of the provisions thereof limiting the powers of States. Asserting no such rights, they claim immunity from all obligations as States, or as a people—to this Government or to the United States.

Two questions must be considered. 1st. When did the rebellion become a territorial civil war?

2d. What are the rights of the enemy under the laws of war?

The first question has been settled by the Supreme Court of the United States in the case of the *Hiawatha*, decided on the 9th of March, 1863. In that case, which should be read and studied by every citizen of the Union, the members of the Court differed as to the time when the war became territorial. The majority decided that when the fact of general hostilities existed, the war was territorial, and the Supreme Court was bound to judicial cognizance thereof. The minority argued that, as Congress alone had power to declare war, so Congress has power to recognize the existence of war; and they contended that it was not until the act of Congress July 13, 1861, commonly called the Non-Intercourse act, that a state of civil, territorial war was legitimately recognized. All the Judges agree in the position "that since July 13, 1861, there has existed between the United States and the Confederate States a civil, territorial war."

"That since that time the United States have full belligerent rights against all persons residing in the districts declared by the President's proclamation to be in rebellion."

"That the laws of war, 'whether that war be civil or inter gentes, converts every citizen of the hostile State into a public enemy, and treats him accordingly, whoever may have been his previous conduct.'"

"That all rights derived from the laws of war, may now, since 1861, be lawfully and constitutionally exercised against all the citizens of the districts in rebellion."

Such being the law of the land, as declared by the Supreme Court, in order to ascertain what are the legal or constitutional rights of public enemies, we have only to refer to the settled principles of the belligerent laws of nations, or the laws of war.

Some of the laws of war are stated in the dissenting opinion, in the case above mentioned.

A state of foreign war instantly annuls the most solemn treaties between nations. It terminates all obligations in the nature of compacts of contracts, at the option of the party obligated thereby. It destroys all claims of one belligerent upon the other, except those which may be sanctioned by a treaty of peace. A civil, territorial war has the same effect, excepting only that the sovereign may treat the rebels as subjects as well as belligerents.

Hence civil war, in which the belligerents have become territorial enemies, instantly annuls all rights or claims of public enemies against the United States, under the Constitution or laws, whether that Constitution be called a compact, a treaty, or a covenant, or whether the parties to it were States, in their sovereign capacity, or the people of the United States as individuals.

Any other result would be as incomprehensible as it would be mischievous. A public enemy cannot, lawfully, claim the right of entering Congress, and voting down the measures taken to subdue him.

Why not? Because he is a public enemy; because, by becoming a public enemy, he has annulled and lost his right in the Government, and can never regain them, excepting by our consent.

If the inhabitants of a large part of the Union have, by becoming public enemies, surrendered and annulled their former rights, the question arises can they recover them. Such rights cannot be regained by reason of their having ceased to fight. The character of a public enemy having once been stamped upon them by the laws of war, remains fixed until it shall have been, by our consent, removed.

To stop fighting does not make them cease to be public enemies; because they have laid down their arms for want of powder, not for want of will. Peace does not restore the noble dead who have fallen a sacrifice to treason. Nor does it revive the rights once extinguished by civil territorial war. The land of the United States, subject to individual ownership. Each person inhabiting those sections of country declared by the President's proclamation to be in rebellion, has the right to what belongs to a public enemy, and no more. He can have no right to take any part in our Government. That right does not belong to an enemy of the country, while he is waging war or after he has been subdued. A public enemy has the right to participate in or assume the Government of the United States only when he has conquered the United States. We find this well settled doctrine of belligerent law the solution of all questions in relation to State rights.

After the inhabitants of a district have become public enemies they have no rights, either State or personal, against the United States. They are belligerents only, and have left to them only belligerent rights.

Suppose that all the inhabitants living in South Carolina should be swept off, so that solitude should reign throughout its borders unbroken by any living thing, would the State rights of South Carolina still exist as attached to the land itself?

Can there be a sovereignty without a people, or a State without inhabitants? State rights, so far as they concern the Union, are the rights of persons, as members of a State, in relation to the general government; and when the person has become a public enemy, then he loses all rights except the rights of war. And when all the inhabitants have (by engaging in civil, territorial war) become public enemies, it is the same in legal effect, as though the inhabitants had been annihilated. So far as this Government is concerned, civil war obliterates all lines of States or counties; the only lines recognized by war are the lines which separate us from a public enemy.

I do not place reliance upon the common law doctrine of forfeitures and franchises as applicable to this revolution, for forfeiture can be founded only upon the admission of the validity of the act in which forfeiture is founded.

Nor does the belligerent law of civil territorial war, whereby a public enemy loses his rights as a citizen, admit the right of secession that makes an individual a public enemy. A person may commit heinous offenses against municipal law, and commit acts of hostility against the Government, without being a public enemy. To be a personal enemy is not to be a public enemy to the country, in the eye of belligerent or international law. Whoso engages in an insurrection is a public enemy, but it is not until that insurrection has swelled into a territorial war, that he becomes a public enemy.

It must also be remembered that the right of secession is not conceded by enforcement of belligerent law, since in civil war a nation has the right to treat its citizens either as subjects or as belligerents, or as both. Hence, while belligerent law destroys all claims of subjects engaged in civil war, as against the parent Government; it does not release the subject from his duties to that Government. By war the subject loses his rights, but does not escape his obligations.

The inhabitants of conquered districts thus lose their right to govern us, but do not escape their obligations to obey us. Whatever rights are left them, beside the right of war, will be such as we choose to allow them, not for them to dictate to us what privileges they shall enjoy.

Among the war measures sanctioned by the President, to which he has, more than once, pledged his sacred honor, and which Congress has enforced by solemn laws, is the liberation of the slaves. The Government has invited them to share the dangers, the honor and the advantages of sustaining the Union, and has pledged itself to the world for their freedom.

Whatever humiliations may befall our arms, whatever humiliation may be in store for us, it is earnestly hoped that we may be saved from breaking the nation's faith with Europe, and with colored citizens and slaves in the Union.

Now, if the rebellious States shall attempt to return to the Union with Constitutional guarantees the perpetuity of slavery—if the laws of these States shall be again revived and put in force against free blacks and slaves, we shall at once have reinstated in the Union, in all its force and wickedness, that very curse which has brought on the war and all its terrible train of sufferings. The war is fought by slave-holders for the perpetuity of slavery. Shall we hand over to them, at the end of the war, just what they have been fighting for? Shall our blood and treasure be spilled uselessly upon the ground? Shall the country not protect itself against the evil which was caused all our woes? Will you

breathe new life into the strangled serpent, when, without your aid, he will perish?

If you concede State rights to your enemies, what security can you have that traitors will not pass State laws which will render the position of the blacks intolerable; or reduce them all to slavery?

Would it be honorable on the part of the United States to free these men and then hand them over to the tender mercy of slave laws?

Will it be possible that State slave laws should exist and be enforced by slave States, without overriding the rights guaranteed by the United States law to men, irrespective of their color, in the slave States?

Will you run the risk of these angry collisions of State and National laws while you have the remedies and antidotes in your own hands?

One of two things should be done in order to keep faith with the country and save us from obvious peril.

Allow the inhabitants of conquered territory to form themselves into States, only by adopting Constitutions such as will forever remove all cause of collision with the United States, by excluding slavery therefrom, or continue military government over the conquered district until there shall appear therein a sufficient number of loyal inhabitants to form a Republican Government, which by guaranteeing freedom to all, shall be in accordance with the true spirit of the Constitution of the United States. These safeguards of freedom are requisite to render permanent the domestic tranquility of the country; which the Constitution, itself, was formed to secure, and which it is the legitimate object of this war to maintain.

With great respect,  
Your obedient servant,  
WILLIAM WHITING.

**John Brough, the Abolition Candidate for Governor of Ohio, has Publicly Unfurled the Banner of Disunion!**

He declares to the people of the State and the nation, that if elected Governor and any of the seceding States lay down their arms and desire to return to the Union under the old Constitution, with all its guarantees just as our fathers made them, he would use his gubernatorial power to prevent their return. In his speeches at Marietta and Cleveland he declared that he was for war until slavery was abolished.

Such is the position of the Abolition candidate for Governor, and all who support Brough stand upon the same platform. It is for the entire destruction of the old Union, and the abrogation of every clause in the Constitution which does not suit their purposes. They are disunionists; they now proclaim it openly and above board, and what is worse, they intend to protract the war until slavery is overthrown, regardless of all their promises and all constitutions. They intend to keep our soldiers in the field, and call millions more, not to restore the Union, but to abolish slavery.

This is the doctrine of the party, and every shoddy contractor, Federal officeholder, treasury sucker, and fanatical rattle-brain in the State, joins in the cry, "War, war!" not to restore the Union but to aid the poor nigger and give them a chance to make money.

Men who vote for this state of things fall must not complain in the hour of calamity. If taxes are piled up mountain high, and their sons are one after another called to the field from year to year until all are gone, and their property mortgaged for generations, let them not complain, for on all such voters rests the responsibility of protracting a terrible war for the mere purpose of feeding and clothing the negroes. The war for the overthrow of the rebellion is virtually over, and if Lincoln would say to the rebel States, "Come back, take all your rights," many of them would return within three months. But Lincoln, Brough, and all the tribe of Abolitionists who stay at home and urge others to go to war, say to them, "We won't have you unless you abolish slavery." This most abhorrent Union doctrine is now boldly promulgated, and the people should wake up to its ruinous and destructive consequences, before it is too late. Let these wicked men continue to rule, and our nation is utterly destroyed. The South will become desolate, and the north will be enslaved to perpetual labor and poverty to pay taxes. All will be gone; universal ruin will overspread the land. No honest man can vote for or support such party leaders, and such destructive measures.—*Circle-ville Democrat.*

## Freedom of Elections.

The Louisville Democrat in speaking of the election in Kentucky says:

"He who would make use of force to prevent the freedom of election is a traitor to all the principles of civil liberty. To accomplish a temporary object, he would invoke a power which will destroy not only the liberties of his fellow citizens, but eventually his own. The horse, in the fable, to break his van of 'home' was ridden over after, till the day of his death. We consider ourselves superior to our English ancestors of a few hundred years ago; but many men in this age may learn a lesson from the times of Edward the First. 'And because elections ought to be free,' says a statute of that time, 'the king commandeth, upon great forfeiture, that no man, by force of arms, nor by malice or menacing, shall disturb any to make free elections.'"

It makes one's blood boil to hear the men now quoting Judge Douglas, and a few years ago denounced him for every thing that was vile, and assisted to light the day of his death. We consider ourselves superior to our English ancestors of a few hundred years ago; but many men in this age may learn a lesson from the times of Edward the First. 'And because elections ought to be free,' says a statute of that time, 'the king commandeth, upon great forfeiture, that no man, by force of arms, nor by malice or menacing, shall disturb any to make free elections.'"

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